

JUDGE DAVID GUADERRAMA

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

JUL 07 2021

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN HOLGUIN-CANO,

Defendant.

CRIMINAL NO. EP 21 CR 1130
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

DEPUTY CLERK

INDICTMENT

CT. 1: 18 U.S.C. §§ 2252(a)(2) & (b)(1)

Receipt and Distribution of a Visual

Depiction Involving the Sexual

Exploitation of a Minor;

CT. 2: 18 U.S.C. §§ 2252(a)(4)(B) & (b)(2)

Possession of a Visual Depiction Involving

the Sexual Exploitation of a Minor

(Prepubescent/Under 12 Years of Age)

Notice of Government's Demand for Forfeiture

THE GRAND JURY CHARGES THAT:

EP 21 CR 1130

COUNT ONE

(Receipt and Distribution of a Visual Depiction Involving the Sexual
Exploitation of a Minor)

(18 U.S.C. §§ 2252(a)(2) and (b)(1))

On or about January 19, 2021, in the Western District of Texas, and elsewhere, the
Defendant,

KEVIN HOLGUIN-CANO,

did knowingly receive and distribute any visual depiction that had been mailed and transported in
interstate and foreign commerce, and which contains materials which had been so transported, by
any means including by computer, the production of which involved the use of a minor engaging
in sexually explicit conduct and which visual depiction was of such conduct, all in violation of
Title 18, United States Code, sections 2252(a)(2) and (b)(1).

COUNT TWO

**(Possession of Child Pornography) [Prepubescent/Under 12 Years of Age]
(18 U.S.C. §§ 2252(a)(4)(B) and (b)(2))**

On or about June 11, 2021, in the Western District of Texas, and elsewhere, the Defendant,

KEVIN HOLGUIN-CANO,

knowingly possessed matter which contained any visual depiction, the production of which involved the use of a minor engaging in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), which visual depictions had been transported in interstate and foreign commerce, to wit: by computer, and were produced using materials which had been shipped and transported in interstate and foreign commerce by any means, including by computer, and the producing of which involved the use of a minor engaging in sexually explicit conduct, said minor being prepubescent and having not attained the age of 12 years, and such visual depictions were of such conduct, in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and (b)(2).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Sexual Exploitation of Children Violations and Forfeiture Statutes

18 U.S.C. §§ 2252(a)(2), (b)(1), (a)(4)(B) and (b)(2), subject to forfeiture pursuant to Title 18 U.S.C. §§ 2253(a)(1), (2) and (3)]

As a result of the criminal violations set forth in Counts One and Two, the United States gives notice to the Defendant **KEVIN HOLGUIN-CANO** of its intent to seek the forfeiture of certain properties upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. §§ 2253(a)(1), (2), and (3), which state:

Title 18 U.S.C. § 2253. Criminal forfeiture

(a) Property subject to criminal forfeiture.—A person who is convicted of an offense under this chapter involving a visual depiction described in section 2251, 2251A, 2252, 2252A, or 2260 of this chapter or who is

convicted of an offense under section 2252B of this chapter, or who is convicted of an offense under chapter 109A, shall forfeit to the United States such person's interest in—

* * *

(1) any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

This Notice of Demand for Forfeiture includes but is not limited to the property described in Paragraph II.

II.
Property

- All property involving any visual depiction described in section 2251, 2251a, 2252, 2252A, 2252B or 2260.

A TRUE BILL.

**ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002**

FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY:



Assistant U.S. Attorney